

**IN THE UNITED STATES DISTRICT  
FOR THE WESTERN DISTRICT OF MISSOURI**

**ROCKY L. HAWORTH, on behalf of  
himself and all other similarly situated  
persons,**

**Plaintiffs,**

**vs.**

**NEW PRIME, INC.**

**Defendant.**

**Case No: 19-3025-CV-S-RK**

**DEFENDANT NEW PRIME INC.'S MOTION TO STAY PROCEEDINGS**

TO PLAINTIFF AND HIS ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that Defendant New Prime, Inc. (Prime) hereby moves the Court to stay all proceedings in this matter. Prime requests the stay be imposed until the resolution of duplicative putative collective and class actions pending against Prime in the United States District Court for the District of Massachusetts, *Oliveira v. New Prime, Inc.*, Case 1:15-cv-10603-PBS (D. Mass.), or until good cause is shown why the stay should be lifted. Alternatively, Prime requests the stay be imposed until resolution of *Petrone v. Werner Enterprises, Inc.*, No. 18-2116 (8th Cir.), which the Eighth Circuit is currently reviewing and is likely to affect this Court's interpretation of legal issues that are central to Plaintiff's claims.

This motion is based upon this notice of motion and motion, the suggestions in support thereof, and all pleadings and papers of record herein.

DATED: September 11, 2019

Respectfully submitted,

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**COUNSEL FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 11th day of September, 2019, I electronically filed the above and foregoing document via the Court's CM/ECF system, which will send notification of said filing to all counsel of record.

s/ Amanda C. Machin

Amanda C. Machin